IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE FOURTEENTH DAY OF JULY
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 15814 of 2005

Between:

A. Meera Madhavi Latha W/o. Saikumar, Female, Hindu,
R/o. 10-29-24, Bagyalakshmipet, Tadepalligudem Town,

West Godavari.

..... PETITIONER

AND

1 Bharat Petroleum Corporation Ltd., Rep. by its Teritorial Manager (Retail), Visakhapatnam,
2 Dealer Selection Committee, Secunderabad Office of Area Marketing Manager, BPCL , Rep. by its Chairman, Sarojinidevi Road, Secunderabad.
3 D.M.G. Verghese, W/o. Not known,
R/o. Daba Gardens , Visakhapatnam,

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ, order or direction more particularly one in the nature of WRIT OF CERTIORARI to call for entire records connected to selection of 3rd respondent as dealer for the retail out let notified for Ganapavarm Village pursuant to notification dt. 16-2-2005 issued by the 1st Respondent, and published in Andhra Jyothi Telugu News Paper from the office of respondents 1 and 2, examine the same and set it aside after declaring the section as being illegal, irregular, arbitrary, biased and contrary to the meritorious considerations as per notification and offends articles 14 and 21 of constitution of India and consequently declare me as meritorious candidate entitled for the said dealer shop and pass such other orders or order as this Hon'ble Court may fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.SATYANARAYANA NIMMAGADDA

Counsel for the Respondents.: MR.O.MANOHER REDDY

The Court made the following :

O R D E R:

This Writ Petition is filed by the petitioner aggrieved by the action of the 2nd respondent in selecting the 3rd respondent as dealer for the retail outlet notified for Ganapavaram village.

2. According to the petitioner, she possessed the required eligibility criteria, and therefore, she ought to have been selected for awarding the dealership. But the 2nd respondent has selected the 3rd respondent without any legal basis. Hence, the petitioner sought to set aside the said selection of the 3rd respondent.

3. This Court, while ordering notice, directed the learned Counsel for the Respondents 1 and 2 to get instructions. Today when the matter is called, the learned counsel has produced a copy of the letter from the 1st respondent stating that the petitioner did not produce proof of financial documents along with the application and there was also no letter from the bank extending the financial assistance. The learned counsel also placed the marks awarded by the Selection Committee to the respective candidates, and the same shows that the petitioner was awarded 12.33 marks out of 65; whereas the 3rd respondent was awarded 44.33 marks; while the other candidates secured more marks than the marks awarded to the petitioner.

4. Heard the both sides and considered the material on record.

5. In the light of the assessment made by the Selection Committee, the petitioner cannot make any claim for not being selected. There are omissions on the part of the petitioner apart from the fact that she could not compete with the 3rd respondent, who was finally selected for the retail outlet dealership.

5. Therefore, the Writ Petition is devoid of merit, and the same is accordingly dismissed. No costs.

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S.Ananda Reddy, J.

14…07…2005

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To

1 Bharat Petroleum Corporation Ltd., Rep. by its Teritorial Manager (Retail), Visakhapatnam,
2 Dealer Selection Committee, Secundeerabad Office of Area Marketing Manager, BPCL , Rep. by its Chairman, Sarojinidevi Road, Secunderabad.
3) 2 CD copies

THE HON'BLE MR. JUSTICE S. ANANDA REDDY

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W.P. No. 15814 of 2005

(W.P.SR No. 73868 of 2005)

O R D E R

14..07..2005